

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Bail Appl..No. 1868 of 2007()

CRIME NO.66/07 OF NALLALAM POLICE STATION

: PETITIONER/IST ACCUSED

JERI FERNANDEZ, AGED 24 YEARS,
S/O.KENNI FERNANDEZ, PALATTIPPADEVEEDU,
CHERUVANNUR AMSOM, SRAMBIA.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

.....
B.A. No. 1868 OF 2007
.....

Dated this the 28th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the first accused in Crime No.66/07 of Nallalam Police Station for an offence punishable under Sec.379 read with section 34 I.P.C. in respect of a motor cycle, seeks his enlargement on bail. The case of the prosecution is that at about 3 a.m. on 26.2.07 the petitioner attempted to commit theft of the motor cycle of the defacto complainant and the neighbours caught hold the petitioner and handed him over to the police. The petitioner is stated to be an employee of Krishna Agencies, which is the vehicle recovery agency of ICICI bank, which had given the loan to the defacto complainant.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-V, Kozhikode and

subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.
3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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